



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : David J. Cherry
TITLE : SEAL CARD GAME WITH RAFFLE
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DECLARATION UNDER 37 C.F.R. § 1.131

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As the person signing below:

1. I, David Cherry do hereby declare and say that I am the listed inventor in the above-identified United States patent application, Serial No. 10/729,175.
2. I have read, and am familiar with, U.S. Published Patent Application No. 2003/0030211 to Brown, which was published on February 13, 2003 ("Brown").
3. I declare that on a date prior to August 5, 2002, the filing date of Brown, the invention disclosed in the above-identified United States patent application was completed by me in this country. As evidence of completion of the invention prior to August 5, 2002, I have attached hereto redacted copies of a

working design for the WINDY 600 RAFFLE game (Exhibit A). Pages of the Exhibit have been numbered 1 and 2 for reference. I hereby declare and state that the relevant portions of Exhibit A were prepared at least prior to August 5, 2002, the filing date of the Brown patent application. These pages provide an enabling description of the concept set forth in the claims of the present application.

4. Exhibit A, attached hereto, discloses embodiments of the present invention including at least those features of claims 1- 9, 19-22, 26-28, and 32-33. A system is illustrated in pages 1 and 2 for use in playing a game of chance. The system includes a plurality of playing cards (page 1). Some of the plurality of playing cards display a free ticket symbol, which entitles a holder of the playing card to receive at least one free ticket (three gold bars corresponds to 25 free tickets, three diamonds to 10 free tickets, etc.). It is evident that at least some of the free tickets must display at least one game symbol. A master game card is shown on page 2 for use in conjunction with the playing cards and free tickets. The master game card includes means for identifying at least one of the eligible game symbols as a winning game symbol (including two flaps which are labeled CASH and a RAFFLE portion with three flaps labeled FIRST DIGIT, SECOND DIGIT and THIRD DIGIT).

5. The pages also show that some of the tickets include raffle numbers ("Retain RAFFLE #s for chance at a prize" Page 1) and means, in the form of a RAFFLE portion, with three flaps labeled FIRST DIGIT, SECOND DIGIT and THIRD DIGIT (page 2), for identifying one of the raffle numbers as a winning raffle game symbol (claim 2). Three flaps (page 2) each cover a portion of the winning raffle game symbol (claims 3, 4, 5, and 6). The master game card includes flaps labeled CASH 1 WINNER and CASH 2 WINNERS for identifying one or two eligible game symbols as winners (claims 7 and 8). Both the playing card and the master game card include instructions identifying which symbols are instant win symbols (claim 9).

6. Pages 1 and 2 also show elements of claim 19 which enable a game of chance to be played, including a set of playing cards with cover members on each of the playing cards which can be opened to reveal game symbols. Some of the playing cards include a free ticket symbol, which entitles a holder of the playing card to receive at least one free ticket. At least one of the playing cards and free

tickets includes an eligible first type of game symbol (ending in a number 13) which is eligible for a first bonus round of play (which involves opening the one of the CASH flaps) and at least one of the playing cards and free tickets includes an eligible second type of game symbol (a raffle number) which is eligible for a second bonus round of play (which involves opening the three DIGIT flaps of the Raffle on the master game card).

7. The pages also show that a holder of a ticket with a Number 13 can be a winner when one of the cash flaps is opened (claim 20). Page 2 shows that the raffle number revealed when the DIGIT flaps are opened has a chance at a prize, i.e., participates in a third round of play (claim 21).

8. Pages 1 and 2 also show elements of claim 22, which enable a game of chance to be played, which include a set of playing cards with flaps that can be opened to reveal a plurality of game symbols. Some of the playing cards include a free ticket symbol, which entitles a holder of the playing card to receive at least one free ticket. At least one of the playing cards and the free tickets includes an eligible first type of game symbol (a raffle symbol) which is eligible for a bonus round of play. The game symbols include a plurality of characters, namely three digits. The master game card has three flaps (page 2), one for each of the digits of the winning raffle number. Thus, opening a first flap reveals one, but not all, of the digits. Each successive flap reveals another of the digits until the entire raffle number is revealed.

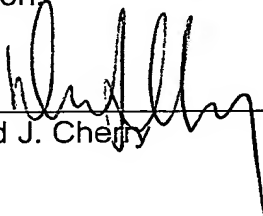
9. Pages 1 and 2 also show elements of claims 26-28 which enable a game of chance to be played which include playing cards with cover members that can be opened to reveal three digit raffle numbers (page 1). A master game card (page 2) has three flaps, each for revealing one digit of the winning three digit raffle number. The holder gets a chance at a prize (page 2, claim 32). A second bonus round of play can be played using one of the CASH flaps on the master game card (page 2, claim 33).

10. Each of the dates deleted from Exhibit A is a date at least prior to August 5, 2002, the filing date of the Brown patent application.

11. It is submitted that the information in attached Exhibit A demonstrates that the invention of a seal card game and method of play, as recited

in claims 1-9, 19-22, 26-28, and 32-33, was completed in this country at a date at least prior to August 5, 2002, the filing date of the Brown patent application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.



David J. Cherry

17 Aug 04

(Date)